

REMARKS

Prior to this Amendment, claims 1-26 are pending in the application. In the pending action, the Office rejected claims 1-3 and 7-20 and objected to claims 4-6 and 21-23. The Office did not provide any comment in the pending action regarding claims 24-26. Applicants' representative, Sheldon L. Wolfe, received a voicemail message from Examiner Richman on October 29, 2004 indicating that claims 24-26 are allowed. In this Amendment, Applicants are amending claims 1, 4, 7, 9, 11, and 13. Applicants request reexamination in view of the amendments and remarks contained herein.

Claim 4 stands objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form to include all the limitations of the base claim and any intervening claims. Applicants amended claim 4 into independent form to include all of the limitations of claims 1 and 3, except Applicants removed the following phrase: "the conveyer being driven at a rotational speed that is different than a rotational speed of the rotor." Applicants assert amended claim 4 is allowable, and request the Office to indicate the same.

Claims 5 and 6 depend, either directly or indirectly, from claim 4, and consequently, include patentable subject matter for the reasons set forth above with respect to claim 4. Therefore, dependent claims 5 and 6 are allowable and Applicants request the Office to indicate the same.

Claim 1 stands rejected as being anticipated by U.S. Patent No. 6,455,960 (Trago). Amended claim 1 recites a treadmill including, among other things, a frame and a motor. The motor includes a shaft and a stator fixedly coupled to the frame, at least one bearing coupled to the shaft, and a rotor coupled to the at least one bearing. The rotor includes a portion that surrounds at least a portion of the stator. The treadmill further includes a conveyer coupled to the frame, and a power-transmission assembly coupling the rotor and the conveyer.

The Trago reference does not teach or suggest a treadmill including, among other things, a power-transmission assembly coupling the rotor and the conveyer (for example,

a pulley-and-belt assembly (see, e.g., claim 7), a gear assembly (see, e.g., claim 9), a sprocket-and-chain assembly (see, e.g., claim 11), a multiple-speed-transmission assembly (see, e.g., claim 13, etc). Rather, the Trago reference discloses a direct-drive roller motor. See, e.g., the Abstract and FIG. 2. Therefore, the Trago reference does not anticipate claim 1 since the Trago reference does not teach or suggest all the limitations of claim 1.

The Office would appear to agree with the above since the Office rejected claim 7 as being unpatentable over the Trago reference in view of U.S. Patent No. 5,476,430 (Lee), and rejected claims 9, 11, and 13 as being unpatentable over the Trago reference in view of U.S. Patent No. 5,509,872 (Chen). The Office acknowledges that the Trago reference does not disclose a pulley and belt assembly or a gear assembly (i.e., does not disclose a power transmission assembly). Rather, the Office combines the power-transmission assemblies of the Lee and Chen references with the Trago reference. However, the Trago reference teaches away from such a combination.

As stated earlier, the Trago reference discloses a direct drive roller motor. The Trago reference explicitly teaches, “It is therefore a primary object of the invention to provide a direct drive roller motor that is integrated into a belt drive roller thereby eliminating the need for a separate motor and pulley system to drive the belt drive roller.” Col. 2, lines 26-29. The inventors of the Trago reference believe eliminating the motor and pulley system from the treadmill reduces the overall size of the treadmill. See, e.g., and col. 2, lines 42-46 (“Still yet another object of the invention is the provision of a treadmill with a motor integrated into a drive roller which reduces total treadmill length and/or width, while simultaneously creating an overall treadmill silhouette that enhances ease of storage.”) Therefore, the Trago reference teaches away from including a power transmission system and teaches away from combining with either the Lee or Chen references. Therefore, claim 1 is not obvious over the Trago reference in view of the Lee or Chen references. Accordingly, claim 1 is allowable and Applicants request the Office to indicate the same.

Claims 2, 3, and 7-13 depend, either directly or indirectly, from claim 1, and consequently, include patentable subject matter for the reasons set forth above with respect to claim 1. Accordingly, dependent claims 2, 3, and 7-13 are allowable.

Before proceeding further, it is noted that the Office did not show how the Chen reference teaches a sprocket-and-chain assembly as recited in claims 11 and 12.

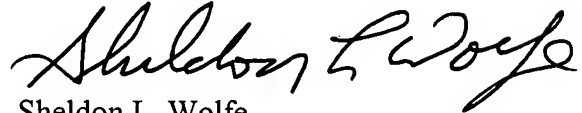
Claim 14 stands rejected as being unpatentable over the Trago reference in view of the Lee reference. Claim 14 recites a treadmill including, among other things, a frame and a motor. The motor includes a shaft and a stator fixedly coupled to the frame, a rotor having at least a portion that surrounds at least a portion of the stator, and a first pulley coupled to the rotor. The treadmill further includes a first belt coupled to the first pulley, and a conveyer having a second pulley coupled to the first belt. The Trago reference does not teach or suggest a treadmill including, among other things, a first pulley coupled to a rotor, a first belt coupled to the first pulley, and a conveyer having a second pulley coupled to the first belt. Rather, and as discussed with claim 1, the Trago reference discloses a direct-drive roller motor. Moreover, the Trago reference teaches away from modifying its treadmill to include pulley-and-belt system. See, e.g., col. 2, lines 26-29; and col. 2, lines 42-46. That is, the Trago reference teaches away from combining with the Chen reference. Accordingly, claim 14 is allowable and Applicants request the Office to indicate the same.

Claims 15-20 depend, either directly or indirectly, from claim 14, and consequently, include patentable subject matter for the reasons set forth above with respect to claim 14. Accordingly, dependent claims 15-20 are allowable.

CONCLUSION

Entry of this Amendment and allowance of claims 1-26 are respectfully requested.
The undersigned is available for telephone consultation at any time during normal
business hours.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Sheldon L. Wolfe". The signature is fluid and cursive, with the first name "Sheldon" being more prominent.

Sheldon L. Wolfe
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